

1 Dale K. Galipo, Esq. (SBN 144074)
dalekgalipo@yahoo.com
2 Renee V. Masongsong, Esq. (SBN 281819)
rvalentine@galipolaw.com
3 **LAW OFFICES OF DALE K. GALIPO**
4 21800 Burbank Blvd., Suite 310
Woodland Hills, CA91367
5 Tel: (818) 347-3333
6 Fax: (818) 347-4118

7 Sharon J. Brunner, Esq. (SBN 229931)
sharonjbrunner@yahoo.com
8 **LAW OFFICE OF SHARON J. BRUNNER**
14393 Park Ave., Suite 101
Victorville, CA 92392
9 Tel: (760) 243-9997
10 Fax: (760) 843-8155

11 James S. Terrell, Esq. (SBN 170409)
LAW OFFICE OF JAMES S. TERRELL
15411 Anacapa Road
Victorville, CA 92392
12 Tel: (760) 951-5850
13 Fax: (760) 952-1085

14 *Attorneys for Plaintiff*, Justin Cody Harper

15
16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18
19 JUSTIN CODY HARPER,
20 Plaintiff,

21 vs.

22 CITY OF REDLANDS, OFFICER
23 KOAHOU,

24 Defendants.

Case No. 5:23-cv-00695-SSS-DTB

Assigned to:

Hon. District Judge Sunshine S. Sykes
Hon. Mag. Judge David T. Bristow

**PLAINTIFF'S PROPOSED VOIR
DIRE**

**TO THE HONORABLE COURT, AND ALL PARTIES THROUGH THEIR
ATTORNEYS OF RECORD:**

Plaintiff hereby submits his Proposed Voir Dire.

DATED: March 21, 2025

LAW OFFICES OF DALE K. GALIPO

By: s/ Renee V. Masongsong

Dale K. Galipo

Renee V. Masongsong

Attorney for Plaintiff

PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS

Plaintiff respectfully requests the Court to ask the jury panel the following [Proposed] Voir Dire questions as set forth below.

A. Questions re: Peace Officer Bias

1. Would you be more likely to believe a police officer's testimony over the testimony of a non-police officer?
2. Do you think a police officer who is a defendant in a civil case is capable of testifying falsely under oath?
3. Are you a current or former government employee or police officer?
 - a. If yes, what agency and what type of job?
4. Are any of your family members or close friends a current or former government employee or police officer?
 - a. If yes, what agency and what type of job?
5. Have you applied to or are you a member of any branch of the armed forces?
6. Are you or any of your family members or close friends current or former service members in any division or branch of our military? If yes, what division or branch and what type of job?
7. Have you or has anyone you know attended or applied to attend any law enforcement academy or basic training?
8. Have you or anyone you know worked as or applied to work as a firefighter, paramedic, or other type of emergency response personnel?
9. Have you ever been a victim of a crime?
 - a. What was the crime?
 - b. Did you have a positive or negative impression of law enforcement as a result?
 - c. In light of that experience, could you still be fair to both sides?

///

- 1 10. Have any of your close family members or friends been a victim of a crime?
- 2 a. What was the crime?
- 3 b. Did you have a positive or negative impression of law enforcement as a
- 4 result?
- 5 c. In light of that experience, could you still be fair to both sides?
- 6 11. Does anyone feel that police officers have been unfairly portrayed in the
- 7 media with respect to the use of force? In what way?
- 8 12. Has anyone seen a video, or heard a statement from the Redlands Police
- 9 Department, describing or discussing the shooting of a citizen during a traffic
- 10 stop?
- 11

12 **B. Questions re: Juror Connection to Defendants**

- 13 1. Have you, a family member, or any of your close friends had any contact or
- 14 association with the Redlands Police Department, or any of their employees?
- 15 If so, please describe the circumstances of the contact or association.
- 16 a) If so, would you view the evidence in this case differently
- 17 because of your past experience with the Redlands Police
- 18 Department, or any of their employees?
- 19 2. Are you or is anyone you know a current or former employee of the Redlands
- 20 Police Department? If so:
- 21 a) Who do you know?
- 22 b) What is or was their job?
- 23 c) How long were they employed?
- 24 d) Would you view the evidence in this case differently because of
- 25 your past experience with the Redlands Police Department, or
- 26 any of their employees?
- 27

28 ///

1 **C. Questions re: Justiciability of Peace Officer Conduct**

- 2 1. Do you agree or disagree that society should hold police officers liable in
3 court when they violate an individual's constitutional rights?
4 2. Do you agree or disagree that police officers or the entity they work for
5 should pay money damages when they violate an individual's constitutional
6 rights?
7 3. Do you agree or disagree that police officers should be able to use as much
8 force as they want when arresting someone?
9 4. Do you agree or disagree that our society should restrict the amount of force
10 that police officers can use?
11

12 **D. Questions re Drug Bias**

13 Plaintiff requests that this Court voir dire the jury on drug bias only in the
14 event that the Court denies Plaintiff's Motion *in limine* to exclude evidence of Mr.
15 Harper's drug use.

- 16 1. Do you know anyone who has used or been accused of using drugs?
17 2. Do you know anyone who has used methamphetamines?
18 3. Do you have any feelings, thoughts, or preconceptions about people who use
19 drugs?
20 4. Do you think it would be difficult to be fair to both sides if you heard
21 evidence that one of the parties had used drugs?
22 5. Do you have any particular knowledge or information regarding the effects of
23 methamphetamine on a person?
24 6. If you heard evidence that one of the parties had used drugs, do you think that
25 you could still find that Officer Koahou's conduct was unreasonable?
26 7. If this Court instructs you that people have the right to be free from
27 unreasonable detentions and excessive force by police officers, do you have
28 any feelings, one way or another, about whether a person who uses drugs

1 deserves the same protection from unreasonable detentions and excessive
2 force by police officers as everyone else?

3 8. Do you have any feelings, one way or another, about whether a person who
4 uses drugs has the same right to bring a claim in court for violations of their
5 rights as does everyone else?

6 9. Could you put aside whatever knowledge, information, or preconceptions you
7 may have about drugs and listen to the evidence?

8
9 **E. Questions re Bias Against Criminal History**

10 Plaintiff requests that this Court voir dire the jury on bias against criminal
11 history only in the event that the Court denies Plaintiff's motion *in limine* to exclude
12 evidence of Mr. Harper's criminal history.

13 1. Do you know anyone who has ever been arrested or convicted of a crime?

14 2. Do you have any feelings, thoughts, or preconceptions about people who have
15 been arrested or convicted of a crime?

16 3. Do you think it would be difficult to be fair to both sides if you heard
17 evidence that one of the parties had been arrested or convicted of a crime in
18 the past?

19 4. If you heard evidence that one of the parties had been arrested or convicted of
20 a crime in the past, do you think that you could still find that Officer
21 Koahou's conduct was unreasonable?

22 5. If this Court instructs you that people have the right to be free from
23 unreasonable detentions and excessive force by police officers, do you have
24 any feelings, one way or another, about whether a person who had been
25 arrested or convicted of a crime in the past deserves the same protection from
26 unreasonable detentions, restraint, and excessive force by police officers as
27 everyone else?

- 1 6. Do you have any feelings, one way or another, about whether a person who
- 2 had been arrested or convicted of a crime in the past has the same right to
- 3 bring a claim in court for violations of his rights as does everyone else?
- 4 7. Could you put aside whatever knowledge, information, or preconceptions you
- 5 may have about individuals with a criminal history and listen to the evidence?